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October 13, 1993

**Via Facsimile
Hard Copy to Follow**

Mr. Stephen D. Jarvela
On-Scene Coordinator
United States Environmental Protection Agency
Region III
841 Chestnut Building
Philadelphia, Pennsylvania 19107-4431

Re: United States v. Shaffer Equip. Co.
USCA 4th Circuit at Richmond, VA
Case No. 92-2024
Our File No. 66003-155

Dear Mr. Jarvela:

In response to your letter of October 6, 1993, Anna Shaffer and Shaffer Equipment Company ("Shaffer defendants") do ask that you consider the following comments on the draft Site Review Work Plan ("draft SRWP") with its attached Sampling Plan. As previously advised, I did not receive the odd-numbered pages of the Sampling Plan and would reserve the right to further comment upon receipt and review of the same.

Mr. Stephen D. Jarvela
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By submitting the following comments, the Shaffer defendants do not concede that contamination, or a need for sampling, exists. If contamination is found, we certainly do not concede any responsibility for the same.

I have received a copy of Berwind Land Company's ("BLC") comments, and to avoid verbosity, would incorporate by reference BLC's comments on behalf of the Shaffer defendants to the following extent.

COMMENTS:

(1) The Shaffer defendants would incorporate BLC's comment numbered 1 to the extent it requests identification of specific statutory or regulatory authority for EPA's present action on the Minden site.

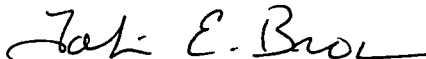
(2) The Shaffer defendants fully concur with BLC's comments numbered 2, 3, 4, 5, 8, 9, 10 and 11.

(3) The Shaffer defendants intend to share with BLC the split samples of each sample obtained by EPA pursuant to its Sampling Plan and to that extent ask compliance with BLC's comment number 6.

Hopefully, a full copy of the Sampling Plan will be received prior to any work commenced at the Minden site so as to allow timely additional comments. Otherwise, should you have any questions concerning this matter, please do not hesitate to call me.

I thank you in advance for your anticipated cooperation.

Very truly yours,



Johnnie E. Brown

JEB:pvc